

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HELEN SWARTZ,

Plaintiff,

-v-

BERIT REALTY LLC & 308 WEST 58 LLC,

Defendants.

23 Civ. 8358 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Pending now is plaintiff Helen Swartz's motion to reopen the case, Dkt. 34. The Court had previously issued an order dismissing the case without prejudice to reopen the action within 30 days. Dkt. 30. Defendants Berit Realty LLC and 308 West 58 LLC oppose this motion, claiming that settlement should have been finalized were it not for Swartz's unreasonable position as to the logistics of signing and finalizing the settlement agreement. Presently, the Court is not in a position—nor is it empowered—to resolve the parties' dispute about the logistics of settlement execution. However, it is clear that parties have not been able to fully and finally resolve this dispute. As such, the Court grants plaintiff's timely motion to reopen the case. By separate order, the Court will refer this case to Magistrate Judge Sarah Netburn for settlement purposes.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: August 29, 2024
New York, New York